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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,559	04/15/2004	Udo Arend	09334.0010-00	9133
22852 7590 01/22/2008 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER AUGUSTINE, NICHOLAS	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 01/22/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/825,559		AREND ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Nicholas Augustine		2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 October 2007.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- A. This action is in response to the following communications: Request for Continued Examination filed 10/29/2007.
- B. Claims 1-16 remains pending.

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### **Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/29/2007 has been entered.

### ***Specification***

2. The disclosure is objected to because of the following informalities:

On page 2 of the specification, paragraph [002], related applications are blanks and required to be filled. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Messinger et al. (US Patent 7,000,187), herein referred to as "Messinger" in view of Anderson et al. (US 2003/0189597 A1).

As to independent claims 1 and 9, Messinger teaches method of modifying a user interface (fig. 1, label 20; col. 3, lines 21-37) for displaying structured database information (fig. 1, labels 14a and 14b; col. 4, lines 63-66) in two or more ordered steps (fig. 3A, label 66; col. 6, lines 63-66) in work panes (fig. 2, labels 43 and 50 are the first and second panes (areas); col. 5, lines 63-65) of a window (labels 40a-40e, 40g is the

GUI window in all applicable figures; col. 2, lines 21-24; col. 5, lines 45-48), comprising: displaying a first work pane (label 50 all applicable figures; col. 5, lines 63, shown (displaying) in main display area) having a first user interface pattern (col. 6, lines 4-6, providing a coach (guide or pattern)) associated with a first of the two or more sequential steps (fig. 3A, label 66; col. 6, lines 63-66); displaying a second work pane (fig. 2, label 43; second pane (area); col. 5, lines 63-65, that a graphical area is the second pane) after display of the first work pane (label 50 all applicable figures; col. 5, lines 63, shown (displaying) in main display area), the second work pane having a second user interface pattern associated with a second of the two or more sequential steps (col. 5, lines 65-67; col. 6, lines 1-3, provide button for selection that initiates steps (guide/pattern); fig. 9, label 42b, 402a-402e; col. 10, lines 7-12); receiving a command from a user (fig. 1, labels 28, 29b; col. 5, lines 52-55, is a single command from the user via a pull down menu) to display the first work pane and the second work pane simultaneously (fig. 2, labels 43 and 50 are the first and second panes (areas); col. 5, lines 63-65, that the task list 43 and main display area are displayed at the same time); and displaying the first work pane and the second work pane in the window (fig. 2, labels 43 and 50 are the first and second panes (areas); col. 5, lines 63-65; label series 40a-40g is the GUI window in all applicable figures; col. 2, lines 21-24; col. 5, lines 45-48).

Messinger does not specifically mention that the displaying the first work pane having a first user interface pattern associated with a first of the two or more sequential steps of the task and the second work pane having a second user interface pattern associated

with a second of the two or more sequential steps of the task simultaneously in the same window; wherein Messinger shows screens 40b and 40c when made to correspond to sequential steps associated with a task (e.g., steps 1 and 2 in task smurf detection), are nonetheless never displayed simultaneously in the same window as mentioned above. However in the same field of endeavor Anderson does teach the display of a two different set of panes/ windows to be displayed simultaneously on the same window (figure 6; items 320,322,326,324,310, paragraphs 31, 37-38 and 41). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Anderson's simultaneously displayed panes into Messinger's multi-pane interface to yield the predictable result (which at the time would be easily conceivable to one of ordinary skill in the art) of having two or more multi-paned interface being displayed simultaneously; thus the user would be able to show screens 40b and 40c of Messinger simultaneously.

The difference from claim 9 to claim 1 is Messinger further teaches the system comprising: a memory and a microprocessor in communication with the memory and programmed to (fig. 1, labels 10a-10b; col. 5, lines 7-16; col. 6, lines 36-37, that computers 10a and 10b must have memory in order to function; Abstract, lines 1-7, that the computer 10a and 10b inherently have processor to be able to function).

As to dependent claims 2 and 10, Messinger further teaches storing the command from the user (col. 5, lines 32-38, that the commands are stored and linked to the command

bar, which can be invoked via drop down menus), so that the user interface always displays the first work pane and the second work pane simultaneously for the user (fig. 2, labels 43 and 50 are the first and second panes (areas); col. 5, lines 63-65, that the task list 43 and main display area are displayed at the same time). As to dependent claims 3 and 11, Messinger further teaches receiving a command from the user to display the first work pane prior to displaying the second work pane (col. 6, lines 4-12, that by selecting the command interface 52 in the main display area 50, triggers the task list 43 that is displayed in the second pane).

As to dependent claims 4 and 12, Messinger further teaches the command from the user is received through a contextual menu (fig. 1, labels 28, 29b; col. 5, lines 52-55, is a single command from the user via a pull down menu).

As to dependent claims 5 and 13, Messinger further teaches the first user interface pattern is a form (fig. 9, label 410c; col. 10, lines 27-30, that a form is also known as an outline or a template which provides guidance).

As to dependent claims 6 and 14, Messinger further teaches the first user interface pattern is a graph (fig. 9, label 410c; col. 10, lines 27-30; col. 6, lines 32-37, that a graph is also know as a diagram or illustration which provides guidance).

As to dependent claims 7 and 15, Messinger further teaches the first user interface pattern is a data object display (fig. 9, label 410c; col. 10, lines 27-30; col. 6, lines 32-37, that a graph is also know as a diagram or illustration which provides guidance or purpose).

As to independent claims 8 and 16, Messinger teaches a method of modifying a user interface (fig. 1, label 20; col. 3, lines 21-37) having a first pane for displaying a first user interface pattern (label 50 all applicable figures; col. 5, lines 63, shown (displaying) in main display area; col. 6, lines 4-6, providing a coach (guide or pattern)), a second pane for displaying a second user interface pattern (fig. 2, label 43; second pane (area); col. 5, lines 63-65, that a graphical area is the second pane), and a third pane for displaying one or more related actions (fig. 13A, label 400; col. 11, lines 57-67), comprising: (fig 13A, labels 50, 43, 400; col. 11, lines 57-67, that as shown in screen view 40e all three panes are displayed); receiving an input from the user to show the second pane as a related action (col. 6, lines 4-12, that by selecting the command interface 52 in the main display area 50, triggers the task list 43 that is displayed in the second pane); hiding the display of the second pane (col. 12, lines 45-52, that by logging out and disengaging the task list 43 is removing from the display so the selection becomes unavailable); and adding a link to the second user interface pattern to the one or more



related actions (fig. 8, labels 380, 385,390; col. 9, labels 57-64, that by adding to figure 2, label 43, is establishing a relationship to the second user interface pattern).

The difference from claim 16 to claim 8 is Messinger further teaches the system comprising: a memory and a microprocessor in communication with the memory and programmed to (fig. 1, labels 10a-10b; col. 5, lines 7-16; col. 6, lines 36-37, that computers 10a and 10b must have memory in order to function; Abstract, lines 1-7, that the computer 10a and 10b inherently have processor to be able to function).

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**(Note :)** It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art is related to adaptable user interfaces.

***Inquires***

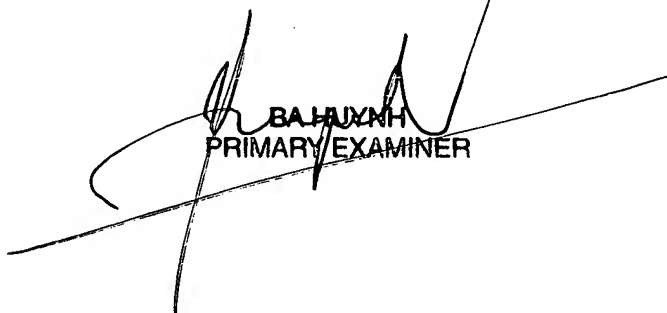
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
N. Augustine  
January 16, 2008

Nicholas Augustine  
Examiner  
AU: 2179

  
BA HUYNH  
PRIMARY EXAMINER